RAUM'S WHITEWASH BADLY SCRATCHED.

Minority Report of the Congressional Committee of Investigation on Affairs in the Pension Office.

COMPROMISING FACTS SET FORTH.

The Commissioner's Refrigerating Company and His Relations to Certain Attorneys.

A RESOLUTION OF CENSURE.

PROM OUB REGULAR CORRESPONDENT. HERALD BUREAU,

CORNER FIFTEENTH AND G STREETS, N. W.,

WASHINGTON, Feb. 12, 1891.

The Investigating Committee of the House, which has been ongaged since the early part of the first session of the present Congress in ascertaining the foundation for certain charges made by Representtative Cooper, of Indiana, against Commissioner Raum, alleging scandalous conduct in the administration of the Pension Bureau, has concluded its labors and reported the results of its work to the

Two reports, varying widely in substance, were made by the committee. The report of the republican majority of the committee was a complete whitewash of Commissioner Raum. The report of the democratic minority of the committee exhibits the finding of the facts which the investigation

Notwithstanding the strenous efforts which were constantly made during the investigation by the friends of General Raum on the committee to suppress damaging evidence, and despite the evasions and hair splittings of the witnesses, the investigation disclosed a state of affairs in Commissioner Raum's administration of the office reprehensible

in the highest degree. BAUM'S REPRIGERATING COMPANY. For the purpose of investigating the first charge made against Commissioner Raum, which was that the stock in his refrigerating company had been sold to employes of the Pension Office, General Raum was subprensed and directed to produce the books and papers of this company, which he refused to do, denying the authority of the committee or Congress to inspect these records, as they related to his private business. After repeated efforts to secure this evidence, the Commissioner persisted in withholding all papers and correspondence of the company, agreeing only that the committee might examine a list of stock-

not be allowed to examine either. The list which he finally produced purported to contain the names of all important stockholders. It was subsequently shown that there were many other stockholders not named in the list.

holders furnished by him and what purported to

be the original stock book of the company, upon

the condition, however, that Mr. Cooper should

DODGING BEHIND A TECHNICALITY. General Raum and Bradley Tanner, his private secretary, repeatedly stated to the committee that no employe of the Pension Office owned directly or indirectly any stock in the Universal Refrigerating Company. When near the end of the investigation the committee discovered that General Raum had been screening himself with a technicality. Then it became known that a sub-corporation had been formed in Washington called the Columbia Universal Refrigerating Company, and that the local stock was subscribed in this branch company,

General Raum testified in response to interrogatories by Mr. Cooper that he had organized in the Listrict of Columbia the Columbia Universal Refrigerating Company, to do business under the patent of the "Universal Refrigerating Company," with a capitalized stock of \$100,000, nine-tenths of which was owned by him. General Raum admits that Brailey Tanner is a stockholder and secretary of this corporation, which is part and parcel of the Universal Refrigerating Company, and to all intents and purposes identical with it.

Bradley Tanner is not only an employé of the Fension office but is acting private secretary of Commissioner Raum, and it is in evidence that he has made three trips to Richmond and three to Alexan ria, va., in the interest of this enterprise. He has attended its meetings, transcribed its minutes, has written many letters in relation to its business dictated by General Raum, and procured other employes of the bureau to do work for the company, showing that he was interested in the corporation and actively engaged in promoting General Raum testified in response to interroga-

cured other emiloyès of the bureau to do work for the company, showing that he was interested in the company, showing that he was interested in the comporation and actively engaged in promoting the enterprise. He endeavored to enlist persons in this concern who went to the Pension Office on business and exhibited the patent process in the rooms of the Commissioner of Pensions. He received no pay for these services from the corporation, but was promoted during the period of these services by General Raum with an increase of salary from \$1.000 to \$1.800 without the assignment of any new duties.

WORD OF CENSURE,

In commenting upon the action of the Commissioner the minority report says:—

"We regret that General Raum has considered it necessary to play upon the mere nominal difference in two refrigerating concerns, availing himself of the small technicality in names only to withhold and conceal the real status of his company and the relation of employes thereto. We declare for a full anvestigation of this branch of the subject and lament the conduct of a public efficial who invokes the fine technicalities of criminal law to serven himself from proper investigation, and to hide from public view the details of a business which is being conducted from one of the government bureaus, and concerning the character of which so many damaging charges have been made.

"Early in the investigation au effort was made to introduce teatimony to prove that the patent refrigeration was impracticable and worthless. The majority of the committee then held that inasmuch as it had not been shown that an employe of the Pension Office owned stock in the Universal liefrigerating Company, and had been promoted, such evidence was not admissible. From this ruling the minority felt compelled to dissent. We hold that the Commissioner of Pensions ought not to be engaged in any enterprise of doubtful character. We are unwilling to subscribe to the decirine that a public servant may use the power and indusence of public perition to conducts a b

that is under the shadow of charges as to its fairness and honesty.

SHIELDED BY PARTISANSHIP.

'It was charged that the refrigerator was nothing better than a trick or device to deceive the unsuspecting, and that it had been used to defraid persons out of many thousand dollars. Witnesses were present, both competent and intelligent, to testify that the history of this enterprise was full of crookedness, and mechanical and scientific experts were introduced to prove that the scheme was impracticable and worthiess, to all of which General Raum objected, and his objection was sustained by the majority of the committee, upon the ground that they regarded this as immaterial unless proof was introduced that some employe of the Pension Office was interested in the enterprise. Subsequently, was interested in the enterprise. Subsequently, when it was admitted by General Raum that Bradley Tanner owned stock in the enterprise, Mr. Lewis, a member of the minority, offered the following resolution:—

"Whereas General Raum has admitted before this committee that Bradier Tanner is the owner of stock in the Columbia Refrigerator Company for the purpose of introducing and establishing in the District of Columbia the patent of the Universal Estrigerator Company, which is synonymous with the Columbia Refrigerator Company; and whereas the said Bradier Tanner has been promoted in the Ionalon Office by the said General Raum, therefore he is compatent to hear such testimony as will tend to prove the character of this enterprise and the value of the stock thereof.

as will tend to prove the character of this enterprise and the value of the stock thereof.

'This resolution was defeated, by a strict party yote and the testimony excluded. It is in testimony that one member of Congress was induced to purchase \$20,000 of the stock, for which he says he and some of his constituents paid \$10,000. Is it not reasonable to presume that General Raum's position as a public officer enabled him to make this deal and others? It being also in proof that General Bussey and Mr. Tanner own stock and aroofficials in the auxiliary company, does not General Raum owe it to the good name of the high office he has been called to administer that he should not only allow, but that he should demand a thorough investigation into all the matters pertaining to the charges made against him?

'No man elected or appointed to public office ought to eneage in any private enterprise upon which he would be unwilling to pour the brightest light whenever the integrity of the public service is questioned or the enaracter of his official relations assailed."

FERSONAL FAYORS.

this deal as follows:—
"Goneral Raum became Commissioner of Pen-sions October 21, 1889. Soon thereafter Mr. George

E Lemon, having greatly more business before the department than any person or firm, urged the establishment of a system whereby attorneys might precure adjudication of claims upon representing them as complete. General Raum opposed the plan and so assured Mr. Lemon; but, being importuned, finally asked Lemon to reduce his views to writing and send them in, with a number of test ases.
"This letter the Commissioner referred to C. P.

"This letter the Commissioner referred to C. P. Lincoln, deputy commissioner, requesting him to examine the matter and report his views. Mr. Lincoln spent much time in the investigation. He consulted the heads of the several divisions, who were familiar with the workings of the office, and found them all opposed to the plan proposed. "Commissioner Haum approved Mr. Lincoln's recommendation about December 1, 1859, at which time he had an animated discussion concerning it with Mr. Lemon and his chief clerk, Tabor.
"But Mr. Lemon did not regard the question as sattled, and continued to urgs the establishment of his plan.

"But Mr. Lemon did not regard the question as actiled, and continued to urge the establishment of his plan.

LAWYER LEMON'S VICTORY.

"Being thus persistently pressed by Mr. Lemon Commissioner Raum receded from his original decision. He did not return to his deputy or the experienced clerks whose adverse opinion he had received, but presented the matter to General Bussey, who, according to his own testimony, knew nothing of the needs of the department or the workings of the proposed plan and who approved the scheme upon Commissioner Raum's recommendation alone and without information that it had been previously refused, tested or discussed in the Bureau. Commissioner Raum, without assigning any reason for his change of mind, without a single new fact or feature commending it, established the system so persistently demanded by Mr. Lemon. The final order, No. 181, provides that cases must be placed upon the completed files for immediate consideration upon the formal request of client or attorney, declaring them completes.

"If the request conforms to the requirements of the order the case is decasted as complete, whether it is ready or not. In practice it is shown that from fifty to eighty per cent of the claims so certified are not complete. Yet upon the request of storneys the cases are taken from the pending file and placed on the 'completed file.' Thersupen the entire force of the bureau devotes five days of the week, if necessary, to the investigation of this completed file.' If the claims are really complete they are at once adjudicated; if not complete them for trial.

"Though these cases may be and often are entirely unprepared, yet when thus called up by at-

department has them completed and submits them for trial.

"Though these cases may be and often are entirely unprepared, yet when thus called up by attorneys they take precedence over all other claims, though others be entirely complete and thoroughly meritorious.

"Mr. Lemon testinos that this 'completed files' system is what he wanted, and the plan urged by him orally and by letter.

"The 'completed files' is the trial docket. From it cases are taken for final adjudication, hence the exgerness to have claims upon this file.' Under this system many thousand cases are certified as complete that lack every essential requirement, but are thus taken up, completed and adjudicated, out of their regular order.

"Against this abuse there is no remedy. The Commissioner says he would punish any one abusing it. The system has had a year's trial. Out of claims certified as complete more than half of them are otherwise. Heently of one hundred cases taken from the 'completed files' a witness found only nineteen that were really complete. Yet no attorney has been punished or even reprimanded. If, however, the power to restrain attorneys from imposing upon the department rests solely with the Commissioner, so much more imperaisve the demand upon him to refrain from placing himself under obligations of any sort to attorneys, and especially those having large business before his bureau.

OKE 600D TUEN, 4C.

"The completed files, giving oppertunity to at-

attorneys, and especially those having large dusiness before his bureau.

OKE GOOD TURN, AC.

"The completed files, giving opportunity to attorneys, under order No. 151, was established January 25, 1890. On the following day, January 7, Mr. George E. Lemon became the surely of Commissioner Raum for \$12,000 on notes o the National Bank of the Republic, "The arrangement for berrowing this money was at Commissioner Raum's office in the Pension Building, and we doubt not was immediately upon Mr. Lemon's having first received information that the system of practice for which he had so warmly contended had been established.

"Mr. Cooper offered to prove that at this time Commissioner Raum was wholly insolvent, but upon his objections this evidence was excluded by the majority, although they had admitted evidence tending to show him solvent. We think this was error. If the Commissioner was solvent no harm could have come to him or Mr. Lemon by so proving; if he was insolvent, then motives other than those arising from ordinary business relations must have influenced the extraordinary accumendation.

"General Raum testified that he deposited with Mr. Lemon as collateral a block of \$100,000 of

commodation.

"General Raum testified that he deposited with Mr. Lemon as collateral a block of \$100,000 of Gypsum and Mining Company stock, which was ample indemnity. Proof was offered that this was a wildest enterprise, with no basis of value except a poor farm in Virginia, costing a nominal sum and capitalized at \$2,000,000 by this corporation, of which the Commissioner is president. But upon General Raum's objections this evidence was also excluded.

"Mr. Lemon testified that he placed no value upon the stock; that he made no inquiry concerning it, and that he would have leaned the money to General Raum without the stock. Why?

"No intimate friendship is shown to have existed between them; no business relation until this transaction, and Mr. Lemon is a good business man. Why would be risk \$12,000 upon one who is afraid to have his solvency inquired after?

"Can it rest is the fact that Mr. Lemon expected large results under order No. 151? Under that order he procured during the first six months \$110 of his cases to be advanced and put upon the list of completed files." In these cases the probable feet are largely over \$100,000. General Raum testified that he deposited with

them cases the probable fees are largely over \$100,000.

WHERE THE ADVANTAGE LAY.

"But it is claimed that there is no peculiar benefit or special privilege to Mr. Lemon under this order, as other attorneys have the same right. Some of them do; many do not. There are sixty thousand attorneys on the roll; they are in every part of the Union; thousands of them probably do not yet know of this order; many of them are notaries public and justices of the peace. Ten per cent or claimants, it is said, represent themselves. This order requires them, after their claims are This order requires them, after their claims are complete, to file a formal declaration, or motion, before they can have their cases decided.

before they can have their cases decided.

"The chaimant or attorney must make five specific allegations in the motion for trial.

"The claimant must make each of these several allegations before he can have a trial of his case. The motion houst go first to the law division, and if not in 'due form' it is rejected.

"No one but an expert can conform to this requirement. It is an inhibition absolute against the solder, who, in his honest simplicity, to save commissions, undertakes to scoure a pension without an attorney by telling the uncolored truth and depending upon the honesty of the department. And yet the certificate required does not contain a single stalement which ought not to be known by the officers of the bureau many times better than by the claimant.

single stalement which ought not to be known by the officers of the bureau many times better than by the claimant.

"This system, thus complicating the business of the office and rendering it so nearly impossible for claimants to secure consideration at all, makes it almost absolutely essential that claimants have attorneys resident in Washington, which Mr. Lemon, the author of the plan, no doubt foresaw, and for which he abundantly provided. The honorable Secretary of the Interior, realizing the force of this criticism, has, during this investigation, issued orders providing for the punishment of attorneys imposing upon the department under this system, and providing also for attention by clerks in the bureau to the claims of those having no attorney.

"It is true that other attorneys in Washington profited by this order, but that is not proof that the order was not in effect a special favor to Mr. Lemon. Under the systemic they days in the week, to this favored class of claims, was able to dispose of them as fast as presented. This was all Mr. Lemon could ask. A special train was equipped and run at his request, upon a schedule of his own making, giving him full right of way, and the favor was no less to him if others enjoyed the same train, since they did not inconvenience him or interfere with his interests.

"The system was inst wat Mr. Lemon damanded."

train, since they did not meanive little a lim of interfers with his interests.

QUESTIONABLE RELATIONS.

"The system was just what Mr. Lemon demanded, and so soon as established he was ready to underwrite for Commissioner Raum, which he had never before done, though often consuited by the Commissioner about his needs during several months before. It is therefore clear that Mr. Lemon was favored and benefited. It is equally clear that Commissioner Raum was placed under obligations to Mr. Lemon.

"Thus relations exist between the Commissioner of Pensions and the largest practitioner before his department which, we think, no rugged integrity can approve and no delicate sense of propriety can endure. While the scope of the investigation has been extremely contracted, resulting often in the exclusion of evidence which to us seemed entirely relevant, yet even under the narrow range permitted we think the following propositions clearly established:—

"(1) That Commissioner Raum is the president

relevant, yet even under the narrow range permitted we think the following propositions clearly established:

"(1) That Commissioner Raum is the president of the Universal Refrigerating Company, and the principal owner of stock in the Columbia Universal Refrigerating Company, a branch of the former, both of which were organized by General Raum after his appointment as Commissioner of Pensions, for the purpose of introducing a patent, alleged to be impracticable and worthisms, and concerning the real character of which he and the majority refused investigation.

"(2) That Bradley Tanner, the Commissioner's private secretary, has devoted considerable of his time to the advancement of this enterprise, exhibiting the patent process in the Pension Office, and that he is a stockholder in and secretary of the Columbia Universal Refrigerating Company, and that General Bussey is also a stockholder and one of the incorporators.

"(3) That while Mr. Tanner's duties as an employe of the government have been lightened, yet while serving the refrigerating company he was promoted by the Commissioner from a \$1,000 to a \$1,000 position in the Pension Office.

"(4) That soon after General Baum's appointment as Commissioner Mr. George E. Lemon, an attorney having the largest business before the bureau, requested the making of an order allowing attorneys to have cases advanced when cistined by them to be compilete.

"(5) That Commissioner Raum submitted this request to his deputy, who was conversant with the business, for his views. That after careful advisement this deputy reported stonity against the proposed plan. That Commissioner Raum concurred in the opposition and refused to establish the system proposed by Mr. Lemon.

"(6) That afterward Commissioner Raum became involved in negotiations for the purchase of

the patent refrigerator, mining lands, &c., and needed money therefor.

"(7) That Mr. Lemon did not acquiesce in the first decision, which was adverse to him, but continued to press his demand for the completed files system. That the Commissioner, without discovering or disclosing any new feature commending the system, changed his mind and, on January 6, 1890, made the order as urged by Lemon and which had been formerly refused.

"(8) That on the following day, January 7, 1890, Mr. Lemon signed the Commissioner's notes as suresty for \$12,0.00, and out of this money he paid on the patent refrigerator, the Gypsum Mining Company, &c.

"(9) That by the adoption of the order named Mr. Lemon was enabled to secure the consideration of many thousand of his chaims in advance of others, and out of what would otherwise have been their regular order.

"Thus it appears to us that the Commissioner of Pensions has not properly esteemed the delicate duties and serious responsibilities of his great office. Nor has he measured up to that standard of patriotic consecration to public service which should inspire all chie officers of the government, and especially in this department, which adjudicates the disbursement of almost one-third the entire revenues of the nation.

"As a substitute for the recolution proposed by the majority of your committee the minority offers the following:—

Resolved, That the evidence herein establishes that the present Commissioner of Pensions has degraded the

Resolved. That the evidence herein establishes that the present Commissioner of Pensions has degraded the public service by using efficial position to promote his private outerprisas and personal rains; and that a wise, efficient and faithful administration of the bureau demands his removal.

CLAIMS THE TITLE OF "CLEOPATRA."

A WRITER SEEKING TO ENJOIN ACTRESSES BERNHARDT, DAVENPORT AND PRESCOTT.

Miss Ida Carpenter, of No. 19 East Twenty-first street, well known as a newspaper and magazine writer, claims the exclusive right to use in the United States the title of "Cleopatra" as applied to a play, and will try to enjoin those who are now using the title.

Under the nom de plume of "Carida" Miss Carpenter, in 1888, obtained from the Librarian of Congress a certificate of copyright of a play written by

gress a certificate of copyright of a play written by her, entitled "Cleopatra," in seven scenes, the result, it is asserted, "of archæological and historical researches made by her."

Miss Carpenter's play has never been produced, although it has had several readings before critics. Through Lawyer Arthur J. Westermayer, Miss Carpenter will apply to the Supreme Court, probably to-day, for an injunction to restrain Miss Fanny Davenport from using the name in dispute. Miss Davenport is presenting Sardou's version of "Cleopatra" at Colonel Sinn's Park Theatre, Brooklyn.

An effort will also be made to restrain Miss Marie Prescott, who made her first appearance last Mon-

An effort will also be made to restrain Miss Marie Prescott, who made her first appearance last Monday night in Brooklyn in a dramatization of H. Bider Haggard's "Gleepatra."

Mme. Bernhardt, who is also to appear in Sardou's version of the play, will present "Gleepatra" at the Garden Theatre on Monday night.

Mr. Westermayer told me yesterday afternoon that he could not find a precedent for Miss Carpenter's action, as no author has ever before alleged infringement upon the title of the play alone.

"Miss Carpenter holds the certificate of copyright," said Mr. Westermayer, "and we claim that under and by virtue of that certificate of copyright has is the absolute cower of the name 'Gleepatra' as applied to a play, and that the use by any one of that name for a play is a violation of her rights and an infringement upon them."

SIMMONS SURRENDERS HIMSELF.

HE DOES SO IN ORDER THAT HIS COUNSEL MAY PROCURE A WRIT OF HABEAS CORPUS.

James A. Simmons had himself surrendered by his bondsmen late last evening for the purpose of again obtaining his release on a writ of habeas Commissioner Shields turned him over to the

oustody of United States Marshal John Wesley

Lawyer Edward H. Murphy said he intended to

Lawyer Edward H. Murphy said he intended to apply for the writ to-day from one of the Circuit Court judges and have the argument take place at once in case it was granted.

If the decision is adverse to Simmons the case will be carried to the United States Supreme Court. Judge Benedict, when Simmons' case was called for retrial before him in the morning, selected the talesmen from among the panel drawn. At least 75 of the 150 drawn had excuses which the Court was bound to accept.

Lawyer Bichard S. Newcombe interposed a special plea, claiming that Simmons could not be placed in joopardy twice, having already been tried before a jury which was illegally discharged by the Court before giving a verdict as to whether Simmons was guilty or innocent of embezzling the funds of the Sixth National Bank.

District Attorney Mitchell contended that Mr. Newcombe should ask the permission of the Court to file his plea, while he claimed it was a matter of right as setting forth new matter that had arisen since the defendant pleaded.

Mr. Mitchell was given until to-day to examine the special plea filed.

"Before taking an adjournment," said Mr. Mitchell was given until to-day to examine the special plea filed.

"Before taking an adjournment," said mr. Mitchell, "I feel it my duty to state that it is the law in federal courts here, and is also the common law in England, that where a defendant takes a special plea for any crime other than a capital one and it is decided against him the judgment must be absolute. This plea removes every other plea and is a confession to the indictment.

"The counsel should ask leave to file his plea,

The counsel should ask leave to file his plea,

"The counsel snoul ask leave to file his plea, and then if it is decided against him he can go to trial on the merits of the case. I think the Court should advise the defendant that if this plea goes against him the Court can sentence him at once."

Lawyer Newcombe sarcastically thanked Mr. Mitchell for his information, but declined to ask the Court's leave to file the plea. He filed it and said he knew perfectly well what he was doing.

LOOKS BAD FOR SUMNER.

JUSTICE BRADY MAY HAND HIM OVER TO PUN-ISHMENT FOR CONTEMPT.

Perrin H. Sumner, the mystery dealer and inventor of slain Edgars, looked anything but happy as he faced Coroner Levy and Lawyer Abe Hummel in the Court of Oyer and Terminer, early yesterday morning. He didn't smile his conciliatory smile once, but stared hopelessiv at Judge Brady. advised Perrin to commit contempt of court.

"The Coroner has no power to subpœna witnesses until he has empanelled a jury," said Mr. Purdy. "Therefore Mr. Summer committed no contempt in

said many other words.
"Sumuer is guilty of criminal contempt," thun-dered Lawyer Hummel. "The subposts was lawful. The Coroner has a right to conduct an examination

he Covener has a right to the same is a magistrate."

"There is abundant precedent for it," Justice leady remarked.

"There is abundant precedent for it," Justice Brady remarked.
"Now, as to the irregularity of the subposna," Mr. Purdy resumed.
"It is not worth while to waste any time on that," interrupted Judge Brady. "The Coroner had a right to go on with the examination no matter how Sumner was summoned. He presented himself before the Coroner. That was enough. I will take the papers and reserve my decision. In the meantime I put the defendant in your custody. I have not discharged him, although I have heard that such a report had crept into some newspapers. He cannot be discharged until this Court decides whether or not he has been guilty of contempt of the Coroner's Court."

The mysterious Sumner actually turned repentant as he walked out of court. Son Artic came around at eleven o'clock to look for Papa Perrin, but he was more than an hour behind time.

WILY MR. WOODWARD.

HOW HE ESCAPED A HEAVY BOARD BILL AT THE HOTEL MARLBOROUGH.

A curious suit was tried yesterday before Chief Justice Ehrlich, of the City Court. Israel Elias, a real estate broker, sought to recover \$500 commissions from Charles A. Blanchard, proprietor of the Hotel Marlborough. Mr. Blanchard resisted the

The basis of Mr. Elias' claim was that in the months of September and October, 1832, he spent a good deal of time in effecting an arrangement with Mr. Willis Woodward, of South Norwalk. Conn., to sell a place he owned there to Mr. Blanchard and take in exchange board at the Hotel Mariborough for himself and family and sister. He was compelled to devote much time to the business, as it required the most persistent persuasions on his part to induce Mr. Woodward to come down in the price of his property from \$30,000 to \$10,000.

After all, however, the scheme fell through, but from no fault, as he claims, of his. He arranged everything all satisfactorily. Mr. Woodward was to take his family and baggage to the Hotel Mariborough and remain till his hotel bill footed up \$10,000. Mr. Blanchard was to take the deed of the South Norwalk property.

"Suppose the hotel should bust up some day where would be." suddenly asked Mr. Woodward. "A bond will remedy all that." Suggested Mr. Elias.

But the hond was not forthcoming. The result

Elias.

But the bond was not forthcoming. The result is Mr. Woodward has still got his property in South Norwalk, Mr. Blanchard has still got the Hotel Mariborough and Mr. Elias got left, the verdict being against him.

MONEY FOR THE RECEIVER.

Receiver Francis Higgins, of the North River Bank, was yesterday authorized by Judge Andrews, of the Supreme Court, to pay to himself \$6,000 as his commissions out of the money of the bank now on deposit in the State Trust Company.

PENSION SHARK RAUM CAUGHT AT HIS TRICKS.

He Tried to Induce a Poor Widow in Brooklyn to Pay Him a Fee for Doing Nothing.

WAS HIS FATHER IN THE PLOT?

Evidently the Son of the Commissioner of Pensions Has an Inside Way to Valuable Information.

A case that bears a very strong resemblance to pension shark practice was under discussion in war veteran circles in Brooklyn yesterday. The intended victim is a soldier's widow in a des.

titute condition. She applied for a pension re-cently under the Dependent Pension act, passed by Congress last July. Her case was taken up by a gentleman who wrote to the Commissioner of Pensions at Washington in

her behalf. Her application for a pension was duly made out and was forwarded to the Commis-Thus she became her own attorney and no other agency was requisite. The mails brought to the friend of the petitioner a communication from John Raum, a son of General Green B. Raum, the

Commissioner of Pensions. It requested that the soldier's widow should sign the power of attorney and return it to him and her name would be put on the special list, which is designed to accelerate the claims of the dependent and needy among the VETERANS VERY ANGRY.

About the basement of the City Hall, where the memorial and bureau of employment room of the Grand Army of the Republic is located, the matter was talked about yesterday with more force than eloquence of expression. The fact that the department should permit a pension agent to have access

eloquence of expression. The fact that the department should permit a pension agent to have access to the applications on file there was severely criticised, and the fact that the agent, who sought to get the \$10 legal fee for a claim which did not call for his assistance, is the son of the United States Pension Commissioner, was to them a special source of aggravation.

Could it be, they asked, that he was using his high and responsible office to threw business—where it would do the most good"—into the hands of his own son, who is a legalized attorney? Any solder's or sailor's widow or orphan or veteran of the war, even though not a comrade of the Grand Army of the Republic, may have claims presented in due form, free of charge, by the almoner of the Memorial and Executive Committee, Comrade George B. Jackson. The various posts of the G. A. R. make per capita contributions toward the maintenance of this experienced officer, who is daily to be found at his deak in the City Hall attending to that business.

UNDEARAND WORK.

But when I spoke to Mr. Jackson about the caso last evening I found that while he was pronounced in his expression of opinion upon the subject he would not communicate the name of the widow nor would be give the name of the citizen who had befriended her in the application.

"The letter from John Raum, who is a regular pension agent," said Almoner Jackson, "was addressed to another party and was shown to me. I wass't slick enough to hold it, but in a day or two I may be able to learn more about it.

"The segont offered for the legal fee of \$10 to collect her claim upon her return of the power of attorney, I told the woman not to do anything of the kind, not to be shanghised into sending any money. Why should she give that money to anybody for writing her name! If she is allowed the pousion why sine needs it ali. As for getting the name on the special list for poor and needy defendants I can do that without any outside assistance and without expense to her.

"Ide not know how Agent Raum found

THE FAYERWEATHER FIGHT.

SHALL DR. VEDDER BE ALLOWED TO REVEAL THE CONDITION OF HIS PATIENT'S HEALTH? Another day was spent by Surrogate Ransom yesthe wealthy leather merchant, Daniel B. Fayerweather, but little of importance was elicited from the witnesses, and the controversy was put off until Monday.

Miss Elizabeth R. Joyce, a piece of Mrs. Fayerweather, who at the last hearing described the execution of the last codicil on the day that her uacle died, and gave it as her opinion that he was not

died, and gave it as her opinion that he was not competent to sign it on that day, as he was dying, was further examined by John E. Parsons, one of the counsel who is acching to sustain the will and codicils.

In order to sign his name to the paper Mr. Fayer-weather, who was in bed, had to sit up. He was assisted in doing this and then had to lie down again. He died about eleven c'clock that night.

A letter signed by Mr. Fayerweather on this day, November 15, directing his executors to give to his niece, Mrs. Lucy J. Beardsley, \$100,000 in securities, was put in cridence, and also some "private memorandum" saying that the bequest to Hamptin and Lincoin universities should, in his judgment, be withheld; that the bequest to Cornell University should not exceed \$100,000, and that if the Noah Webster University at Evanston, Ill., was in prosperous condition he would recommend that it receive \$100,000. Gifts to some employes were also included in the paper, a portion of which was written by Thomas G. Ritch, the lawyer executor.

was written by Thomas G. Ritch, the lawyer executor.

Another letter written to Executor Vaughan by
Judge Beardsiey, the husband of Lucy J. Beardsiey,
was introduced in evidence, tending to show that
when the will was offered for probate and the
widow was asked to waive the service of citations
and consent to probate "adverse influence from
her family" was being exerted upon her.

Dr. M. E. Vedder, the medical advisor and friend
of Mr. Fayerweather, who witnessed the codicil of
March 19. 1889, testified that he heard a lawyer
roading the codicil of November II last—supposed
to have been destroyed before the last codicil was
executed—and Mr. Fayerweather, interrupting,
said, "Then I anderstand that after the payment
of debts and everybody is satisfied the balance is
to go to these institutions." The lawyer replica-

te go to these institutions." The lawyer replied in the affirmative.

The Dector was asked to state what he said to Executor Yaughan and what Mr. Yaughan said to him about Mr. Fayerweather's health, and he was also asked if Mr. Fayerweather was a man to be easily influenced.

The Surrogate held that such testimony was in

the Surrogate held that such testimony was in the nature of "privileged communication," and that the Doctor had no right to divulge any information received from his patient.

Ax-Surrogate Rollins and Frederic R. Coudert argued that this very point had been decided differently in the Hoys will case by the Court of Appeals, but Surrogate Ransom declined to permit any testimony to be given as to Mr. Fayerweather's health. The question as to the admissibility of this evidence will be fully argued at the next hearing.

When the Doctor was told that a paper was to be executed on November 15 he said that it had better be executed at once if it was important.

WOULD PROVE HER SON A FORGER.

MIS. FINELITE ACCUSES LAWYER ALEXANDER PINELITE OF MUTILATING A DEED.

Mrs. Lena Finelite charges her son Alexander Finelite, a lawyer, with mutilating a deed of No. 171 Hester street, given her by Jacob and Sarah Finelite, previous owners of the property. She says she gave the deed to her son to keep till

she gave directions to have it recorded. months of September and October, 1882, he spent a | charges in her complaint that he crased her name

charges in her complaint that he erased her name as grantee and substituted life own; that he changed each "her" to "his," and, as thus mutilated, had the deed recorded, and that he now claims to be the owner of the property and threatens to expel her by force.

In a sait brought in the Superior Court Mrs. Finelite asks to have the deed purporting to convey the property to her son be adjudicated a forgery and a fraud. In the tend before Judge Patterson at Special Term, after Mrs. Finelite and others on her behalf had given testimony to corroborate the allegations in the complaint, the necused son produced testimony to show that the changes in the deed were with his mother's consent and that there had been no irregularity or illegal and that there had been no irregularity or illegal procedure on his part. At the close of the testimony yesterday Judge Patterson reserved his decision.

NO TITLE TO THE PROPERTY.

A suit brought by Joseph C. and Gideon J. Tucker, grandchildren of Gideon Tucker, affecting the title to valuable property on Eleventh and Twelfth streets, between Fifth avenue and Broatway, has been decided against them by Judge Patterson, of the Supreme Court. The property belonged to the Brevoort estate,

and subsequently Gideon Tucker obtained a life interest in it. There was a partition sate in 1868, and from the proceeds the Tucker children received

their shares in it, although they i sisted that they were not made parties to the suit. Upon this ground they brought cuits in ejectment against some of the owners of the land.

The Judge finds that inasmuch as the Tucker children have been paid in full for their shares and their grandfather took only a life interest in the property there is not sufficient ground to hase these suits in ejectment upon, and, therefore, he decides against them.

ALL IN FAVOR OF THE BANK.

THE NEW YORK SMELTING COMPANY AND MESSES, LISSBERGER AN . STROUD INVOLVED. Two executions were issued against the New York Smelting and Refining Company, at No. 506 West street, yesterday, for \$12,623, in favor of the First National Bank of New York. Judgments were also entered against J. Lissberger & Co., metal merchants, of No. 46 Cliff street, for \$16,421, and against Stroud & Co., metal brokers, formerly at No. 104 John street, for \$7,716, all in favor of the First National Bank and in the same matter.

Deputy Sheriff Tracy yesterday took possession of the New York Smelting and Refining Company's works. From the papers in the case it appears that on November 12, 1888, the company made its note, payable on demand, for \$4',400, and on November 14, 1888, another note, payable on demand, for \$2.000, which notes were indorsed by L. Lissberger & Co. There remained unpaid on these notes, with interest and costs, \$4,07, for which amount the First National Bank took judgment. The firm of Stroud & Co. made three notes of four months each, dated June 10, 1860, for \$2,485; June 17, 1890, for \$2,387, and July 2, 1890, for \$2,485; June 17, 1890, for \$2,387, and July 2, 1890, for \$2,715, all to the order of L. Lissberger & Co., which notes were indorsed by L. Lissberger & Co. and the New York Smelting and Refining Company, and came into possession of the First National Bank, which entered judgment upon them for \$7,716. The other transaction was a loan of \$5,000, on April 17, 1890, to L. Lissberger & Co., for which the First National Bank has entered judgment for \$3,798. At the office of Peabody, Baker & Peabody, attorneys for the hank, it was said that the matier had been hanging on for some time past, and that the bank had decided to take judgment, and as far as they knew the notes were all straight.

The New York Smelting and Refining Company was mentioned in the recent despatches from Baltimore in connection with the alleged forged acceptances which were disclosed in that city. The company was incerporated in 1876 with a sapital stock of \$70,000 and, it is said, is virtually owned by Lazarus Lissberger and has brother-inlaw, Bernard Schutz, who compose the firm of L. Lissberger & Co. The company has an extensive plant and did a business, it is claimed, of upward of \$1,000,000 a year, but had a very lew credit rating at Bradstreat's.

Mir. Lissberger, has been in business for about thirty years and was generally regarded as a bold and heavy operator. He was formerly of, Holmes & Lissberger & Co. The company has an extensive plant and did a business, with continued busi of the New York Smelting and Refining Company's works. From the papers in the case it appears

THIRD AVENUE MOTIVE POWER. PAYING THE EXPENSE OF CABLE POWER ON THE

THIRD AVENUE RAILHOAD. There is promise of a lively and protracted legal controversy regarding the plan proposed to be adopted by the directors of the Third Avenue Railroad Company for defraying the expenses incurred in changing the motive power from horse to cable

of the railroad stock, has brought, through his counsel, Martin & Nichols, a suit in the Supreme Court for an injunction to restain the directors from carrying out the plan outlined in resolutions adopted by the directors, setting forth the scheme for raising the funds requisite for the change in

His reason for this protest is that the stock now authorized to be issued may be decreased in value, and because no details of the agreement with the construction company have been given.

He objects to being called on to trust implicitly to the directors.

Mr. Lauterbach stated on the argument that it was not intended that any profits should be made by the construction company, and that at the meeting of stockholders the whole scheme was fully arrigined.

fully explained. Decision was reserved. BURGLAR CUMMINGS SENTENCED.

HE SAYS HE NEVER HNEW THE DIFFERENCE BETWEEN RIGHT AND WRONG

Judge Cowing sentenced a famous bank burglar vesterday, known as Dave Cummings, alias "Balti-Court of General Sessions. Cummings' offence was that of having been caught

with a full kit of burglars' tools in company with George Houghton recently by one of Inspector Byrnes' men. Byrnes' men.

During the last eighteen years Cummings' record shows that he has enjoyed but eight months' freedom. Years ago, when they used to consign prisoners to Kentucky mines, Cummings worked in a oners to kentucky mines, Cummings worked in a mine for a time and escaped one day with several others by ascending through an air shaft. He has also been an inmate of several prisons in England. When Judge Gowing asked the veteran thief why he so persistently followed burglary as a profession he said:

"I seel, Judge, as if I have been crazy to have lived as I have. To tell you the truth, though, I don't believe I understand the difference between right and wrong."

ITALIAN LABORERS DETAINED.

A petition for a writ of habeas corpus in the case of a number of Italians, who are detained by the Collector on the ground that they have come here under a contract to work for Nicola Grilli, was filed yesterday in the United States Circuit Court

filed yesterday in the United States Circuit Court by their counsel.

The Italiaus are Giuseppe Buciarello, Salvatore Orsini, Nicola D'Jaceta, Raffaele Di Fonsa, Dominico Di Bartoiomea, Giocodine Conte, Rosana Conte, Michele Conte, Sirafno Fantozi, Umberto Di Genesi, Gastrano Di Blosto, Dominico Martino, Salvadore Martino, Camillo Zappiara, Vincenze Di Tommassio, Arcangelo Valeuti, Antonio Conte, Antonio Totti, Giustino Conte, Amedie Buccarulii, Luigi Cicotellii, Carmine Martino, Salvadore Simone, Crazio Eucceiferio, Dominico Conte and Deminico Puracchio.

Judge Wallace made the writ returnable to-day at two o closi.

SOUTH CAROLINA SECURITIES.

Attorney General Polk of South Carolina consuited with E. B. Wesley and the officials of the Bank of North America in this city yesterday in regard to \$365,000 worth of the bond scrip of the State issued in 1872 and owned by the bank and

Mr. Wesley.

Of this amount the benk owns about one-quarter, which its officials say has long since been charged to profi and loss as of no value.

No terms of settlement were reached yesterday, and one of the officials of the hank said that if any money should be realized from their holdings at any time the bank would look upon it in the light of a windfall.

JURY COULD NOT AGREE.

After three hours' deliberation a jury yesterday before Judge Barrett, of the Supreme Court, Meinecke against the cities of New York and Brook-lyn for \$30,000 damages, and was discharged. In crossing the Bridge extension on Park row on November 3, 1889, Miss Meinecke, through a defect in one of the planks, stubbed her toe and fell, breaking the right knee pan and, as alleged, per-manently crippling her.

ITS FIREMEN BOSSED BY A SALOON KEEPER.

"Jack" Conway, a Democratic Ward Politician, Succeeds the Gallant Henry E. Farrier as Chief Engineer of Jersey City.

TO OBLIGE HIS FRIEND KERN.

Consummation of a Deal Which May Well Create Disgust and Alarm Among the Respectable Brsidents of Our Sister City.

Citizens generally would not regard it as promotion, and might look upon it with suspicion.

Fortunately for our reputation that is not the flattering) across the North River that is about the

left the post of chief engineer vacant. This made

ask some of "the boys" what camaraderic is. If they reply that it is something to drink they will

I was told that since Mayor Cleveland made Conway a Fire Commissioner the department has "gone to the dogs." Chief Farrier had no control of the men. If a delinquent member of the force had the necessary "pull" he could defy his superior officers. Commissioner Conway's saloon is on Summit

avenue. It is not a gorgeous affair, and some of

hauled up before the Board for it, could any one in reason blame Commissioner Conway for having

adopted by the directors, setting forth the scheme for raising the funds requisite for the change in motive power.

As a preliminary step in the suit, application was made to Judge Ingraham, which he granted, for the examination, before trial of Henry Hart and other directors, in order to enable Mr. Hackflarth to frame his complaint.

A motion was made yesterday before Judge Andrews by Hoadley, Lauterbach & Johnson, defendant's counsel, to vacate that order. The motion was opposed by Martin & Nichola, counsel for the plaintiff, who submitted an addard by Mr. MacMarlin which sates his case.

He says that when the resolution for the change with the expenses of the change. The resolution was to sell a sufficient number to raise the amount needed to make the change. The remainder was either to be distributed among the stockholders or used to retire the unissued first mortgage bonds, or to be used in improvement or kept in the treasury.

The peacently a meeting of stockholders was called to consider the proposed increases from \$2.00,000 to \$12.00,000 in the capital stock. Mr. MacMartin says that this call contained no information of the construction company which was to sell a sufficient number to raise the amount needed to make the change. The remainder was either to be distributed among the stockholders or used to retire the unissued first mortgage bonds, or to be used in improvement or kept in the treasury.

The resolution was passed in September last, and subsequently a meeting of stockholders was called to consider the proposed increases from \$2.00,000 and \$2.00,000 in the capital stock. Mr. MacMartin says that this call contained no information of the scheme is illegal, because there was no notice in the call, and protests against turning over \$10,000,000 to the construction company when the scheme is illegal, because there was no notice in the call, and protests against turning over \$10,000,000 to the construction company when the scheme is illegal, because there was no notice in the call the stockholders was

chainge. But there was Bill Kern, who controlled the toughs of the Fourth district, and he had to be provided for or there would be no peace in the democratic camp.

There might have been some little difficulty in creating the new office of Superintendent of the Fire Department to accommodate Jack and Bill. The death of Chief Engineer Farrier made it all plain sailing. That was the place for the successful ssicon keeper and the other was the place for the distinguisted boss of the unruly Fourth. Kern is an ignorant man, but he pessesses a talent for political organization.

To see Conway casting a blank ballot after his two colleagues had nominated him for the office of Chief Engineer was a sight to behold. He did it with as much nonchalance as in quaffing a cocktail at his own bar.

But here is the other little joker. Just before the deal the Board voted to increase the salary of Chief Engineer from \$2,000 to \$2,500. Parrier was entitled to the lister salary, but never got it. John T. Denmead, acting Chief, was next in the line of promotion, but had no pull. However, for shame's sake, the Board increased his salary from \$1,400 a year to \$1,500 an addition of \$100. How generous!

For the past two days and nights Conway's saloon has been crowded with firemen anxious to shake their new Chief by the band and drink his health. He takes office on March 1, but it is calculated that by that time every man in the department will have spent at least one day's salary in the Summit swenue ginmill. Bill Kern will command the financial part of the department and Jack Conway will run the political part. The citizens of Mayor Clevoland's town are thinking of organizing a fire department on their own account. Conway says in an Interview that he does not think it necessary for the Chief of the department to go to every fire. One of the old members of the force said to me it wouldn't matter a straw whether he did or not, for he didn't know the difference between a nozze and a chimney.

"He knows a darn sight more about the effec

NO FORGED SUGAR CERTIFICATES.

A telegraphic despatch from Cincinnati yesterday announced that three hundred shares of Central Trust Company sugar trust receipts had been returned to Cincinnati from New York as forgeries. Nothing was known of the matter at either the office of the American Sugar Refining Company or

J. Converse Gray and William Clark, Boston gentlemen interested in furthering an elevated railroad enterprise in that city, appeared in New York yesterday to inquire from Wall street and real estate men as to the actual monetary benefit to property

Suppose one of our Fire Commissioners should step down and take the position of Chief Engineer, if that place were vacant, what would New York think of that Commissioner?

condition of affairs. The death, brought about through his devotion to duty, of the gallant Fire Chief Henry A. Farrier

the field clear for the consummation of a political deal entered upon some time ago. John Conway is a saloon keeper and "one of the boys," but the fact that he is also a Fire Commissioner does not by any means underrate his standing as a saloon keeper. Neither does it interfere with his camaraderie. Commissioner Conway may

find they are "in it." DETERIORATION IN THE DEPARTMENT.

those in Chatham street, this city, would "knock it into a cocked hat." Its chief and only charm lay in the gentleman who ran it. Close by is engine house No. 7. Commissioner Conway is not a proud man by any means. To see him drinking and hobnobbing with the "boys" who happened to get into the

uniform, one would think him a common every

day laborer-and so he is in the political field.

Now if one fireman slugged another and was

reason blame Commissioner Conway for having the complaint dismissed against the man with whom he had been taking a social glass?

Mr. Commissioner is good natured, especially with those who vote the right way. And if a firemain was reported for intoxication at a fire who, again, could blame Commissioner Conway for getting him off? Would it not be a reflection on his own "profession" if the man were punished—and we should all be jealous of the reputation of our own "profession," whether it be liquor or law. This was the way it was put to me yesterday in our "gister city."

office of the American Sugar Refining Company or the Central Trust Company, who had charge of the reorganization of the sugar trust.

An official of the sugar trust.

An official of the trust company said that had any forged receipts or certificates been sent them for transfer they would have retained them and not have sent them back stamped "forged," as the report alleyed.

A director of the Sugar Refining Company said he had no knowledge of any forgeries. If there had been any, he added, he believed they were probably forged indorsements, and were certainly not to the amount of \$1,000,000, as stated.

BOSTON WANTS AN "L" ROAD.

resulting from the "L" roads of this city.

They also asked advice as to the best plan to adopt to secure such a road for their city. They were told to request the Massachusetts Legislature to appoint a commission and to ascertain the opinions of residents of Boston living along the line of the contemplated road.

uld not agree in the suit of Miss Margaretta